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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,790	01/16/2004	William J. Beyda	2000 P 09085 US 01	8157

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Elsa Keller
Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2614

MAIL DATE	DELIVERY MODE
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10/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/759,790	Applicant(s) BEYDA, WILLIAM J.	
	Examiner OLISA ANWAH	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 September 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) 1-14 and 20 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 15-19 and 21-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15-17, 19, 21-23 and 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Goldman et al, European Patent Publication No. 0,588,101 (hereinafter Goldman).

Regarding claim 15, Goldman discloses a telecommunications system, comprising:

a voice message storage and retrieval unit;

a Caller ID data recording unit configured to record Caller ID data from callers (see A calling party at station 31 from column 16) calling said system, the caller ID data including a calling party number, the Caller ID data recording unit being associated with a first call control system (see unit 46 from Figure 6);

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an interface configured to transmit the recorded Caller ID data to a remote location (see unit 80 from Figure 6) when the recorded messages are retrieved; and

a second call control system local (from Figure 6, see units 102, 105, 108 and 25) to a remote caller (see Subscriber 21 from column 16) calling the system and configured to receive the transmitted Caller ID data;

wherein said second call control system includes a Caller ID storage and retrieval unit configured to cause the transmitted calling party number included in the received Caller ID data to be called by said second call control system (from column 17, see This will connect subscriber 21 to the original calling party 31, using trunk 107), said second call control system being a call control system more closely connected to the remote caller than the first control system (see Figure 6).

Regarding claim 16, see Figure 6.

Regarding claim 17, see Figure 6.

Regarding claim 19, see Figure 6.

Regarding claim 21, Goldman discloses a telecommunications method, comprising:

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recording messages from callers (see A calling party at station 31 from column 16) calling an answering device;

recording Caller ID data from the callers calling said answering device, the caller ID data including a calling party number, the answering device being associated with a local call control system (see unit 46 from Figure 6);

transmitting the recorded Caller ID data to a remote location (see unit 80 from Figure 6) when the recorded messages are retrieved by a remote caller (see Subscriber 21 from column 16); and

wherein said transmitting comprises transmitting the recorded Caller ID data to an apparatus in a remote call control system (from Figure 6, see units 102, 105, 108 and 25) wherein said remote call control system includes a Caller ID storage and retrieval unit configured to cause the transmitted calling party number included in the received Caller ID data to be called by said remote call control system (from column 17, see This will connect subscriber 21 to the original calling party 31, using trunk 107), said remote call control system being a call control system more closely connected to the remote caller than the first call control system (see Figure 6).

Regarding claim 22, see Figure 6.

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Regarding claim 23, see Figure 6.

Regarding claim 25, see Figure 6.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18 and 24 are rejected under 35 U.S.C § 103(a) as being unpatentable over Goldman in further view of Kang et al, U.S. Patent No. 6,094,475 (hereinafter Kang).

As per claims 18 and 24, Goldman does not explicitly mention the call control system is a wireless carrier system. Regardless, Kang discloses this nifty feature (see Figure 1). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldman with the wireless carrier system of Kang. This modification would have improved the flexibility of Goldman by utilizing any type of switching system as suggested by Goldman (see column 3).

Response to Arguments

5. With respect to Goldman, Applicant argues that the remotely transferred number, however, is not itself used to call back the message leaving party. The Examiner respectfully disagrees. Because the number at the Callback Number register is used by the PBX to transfer the call to the calling party and because the Callback Number register is remote¹ from the PBX, Goldman teaches the remotely transferred number is used to call back the message leaving party.

Applicant also incorrectly alleges that Goldman contains no hint that the number can be transferred to a call control system close to the remote caller. Because Goldman discloses the number is transferred from the Callback Number register to the PBX and because the PBX is close to the remote caller, Goldman teaches the number can be transferred to a call control system close to the remote caller.

Applicant further argues that in Goldman, there is no remote caller whatsoever. The Examiner respectfully disagrees. Because the subscriber of Goldman is separated by a distance greater than usual from the Stored Message Apparatus 46, Goldman

¹ On the issue of remoteness, Goldman covers this limitation because the Callback Number register is separated by a distance greater than usual from the PBX.

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discloses the caller is remote from the Stored Message Apparatus 46.

Applicant also argues that Goldman does not teach a first and second call control system, at least one of which is remote. The Examiner cannot agree. Contrary to Applicant's allegations, the Stored Message Apparatus 46 of Goldman is the same as the claimed first call control system² while the PBX network 102 is the same as the claimed second call control system.³ Again, because the subscriber of Goldman is separated by a distance greater than usual from the Stored Message Apparatus 46, Goldman discloses the first call control system is remote from the subscriber.

Conclusion

6. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS

² The Stored Message Apparatus of Goldman reads on the claimed first call control system because the Stored Message Apparatus of Goldman is associated with a Caller ID data recording unit.

³ The PBX of Goldman reads on the claimed second call control system because the PBX of Goldman causes the transmitted calling party number included in the retrieved Caller ID data to be called.

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of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

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Olisa Anwah
Patent Examiner
October 22, 2008

/Olisa Anwah/

Primary Examiner, Art Unit 2614